

## **REMARKS**

Claims 1-20 are pending in the instant application and stand rejected by the examiner. Claims 1 and 11 are independent claims. The assignee traverses the rejections of the pending claims.

### ***Claim Rejections – 35 U.S.C. §§ 102, 103***

Claims 1-6, 8, and 11-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sweet et al. (U.S. Patent Publication No. 2002/0031230). Claims 7 and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sweet et al. (U.S. Patent Publication No. 2002/0031230) in view of Satagopan et al. (U.S. Patent Publication No. 2002/0095497). Claims 9, 10, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sweet et al. (U.S. Patent Publication No. 2002/0031230) in view of Freund (U.S. Patent No. 5,987,611). These rejections are traversed.

Claim 1 of the instant application recites a domain controller configured to receive a request to perform an operation affecting at least one of the assets, to determine whether the request originated with an entity that has a trust relationship with the domain that includes the at least one affected asset, and to permit completion of the operation where the request originated with an entity that has a trust relationship with the domain that includes the at least one affected asset. As described in paragraph [0025] of assignee's specification, the domain controller acts as a security gateway to the mobile device. "[A]ccess to such mobile device assets or resources is controlled by the domain controller 40." An example domain controller is illustrated in FIG. 2 of assignee's specification, which is reproduced below for convenience:

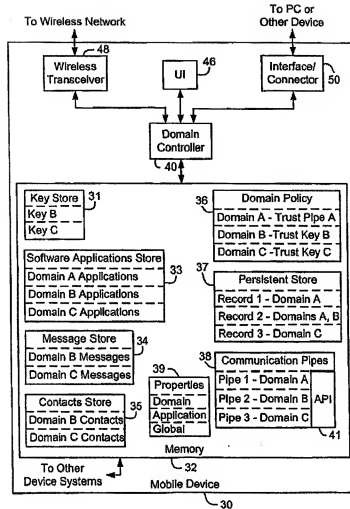


FIG. 2

In rejecting claim 1, the office action cites to paragraphs [0147] and [0211] of Sweet as disclosing a domain controller and to paragraphs [0116], [0117], and [0212]-[0223] as disclosing the determining a trust relationship and permitting completion of an operation functions of the domain controller. Sweet teaches a server based system for secured distribution of data and information, as described in paragraphs [0023]-[0026], a portion of which is reproduced below for convenience:

[0023] The present invention directs itself to a cryptographic key management security method and apparatus, hereinafter referred to as "PXa<sup>3</sup>" (Precise eXtensible Authentication, Authorization and Administration). PXa<sup>3</sup> provides a method and apparatus for secured distribution of data and information over a decentralized public network, such as the World Wide Web of the Internet (the

"web"). PXA<sup>3</sup> creates and maintains a web server account for each user, such that its basic mode of operation works over the Internet--both in terms of the internal administration of its various applications, and in terms of accessing the data files or other objects (or entire systems) that a PXA<sup>3</sup> system secures.

[0026] In one embodiment of the present invention, a member's security profile--containing (at least) domain and maintenance values, a file header encrypting key, the member's access permissions credentials, and domain-specific policies--is available from a central PXA<sup>3</sup> server as a downloadable "soft token" over any Internet connection. The soft token is downloaded as a set of multi-encrypted objects to a member's client system after the member logs in to the web site and authenticates him or herself. Once downloaded, the soft token may remain encrypted on the client system's persistent memory device, and cannot be decrypted except by the proper introduction of a member's password (or other authentication process)--and then only the necessary portions of a security profile are decrypted when they are required.

The cited portions of Sweet describe a system wherein a user logs into the server, and if authenticated, then the user receives security profile information, for example, in the form of a soft token that allows the user to encrypt or decrypt objects for a limited period of time.

Paragraph [0116] describing such an operation is included below:

[0116] For example, in one embodiment of the present invention, a member 105 logs into the PXA<sup>3</sup> web site 305 and authenticates him or herself, typically via a user ID and a password. If the authentication is successful, a PXA<sup>3</sup> server system will download an encrypted ephemeral soft token to the member's client system (desktop, laptop, mobile phone, wireless personal digital assistant, etc.) which, after enrollment, will contain PXA<sup>3</sup> client software. Once the soft token is safely deposited into the member's client system, the member may use the PXA<sup>3</sup> system to encrypt or decrypt objects as he or she goes about his or her daily business.

Assignee respectfully disagrees with the claim interpretation of the office action wherein the domain controller of claim 1 encompasses the PXA<sup>3</sup> server and website. However, to expedite prosecution, claim 1 has been amended to recite that the domain controller is *on the mobile device*. This amendment is supported in FIG. 2 and throughout the specification. Because amended claim 1 requires that the domain controller be on the mobile device, and the PXA<sup>3</sup> web server of Sweet is clearly external from any mobile device, it is respectfully requested that the Section 102 rejection of claim 1 be withdrawn.

A similar amendment has been made to claim 11 requiring a domain controller be on the mobile device. It is respectfully requested that the Section 102 rejection of claim 11 be withdrawn for similar reasoning as offered for claim 1.

Arguments have not been provided at this time in support of the patentability of the dependent claims. It is respectfully submitted that because the independent claims are now in condition for allowance, the dependent claims which depend directly or indirectly therefrom are also in condition for allowance. However, assignee reserves the right to argue the patentability of certain of the dependent claims in the instant application at a future time, should that become necessary.

### **CONCLUSION**

For the foregoing reasons, the assignee respectfully submits that the pending claims are allowable. Therefore, the assignee respectfully requests that the examiner pass this case to issuance.

Respectfully submitted,

By: 

John V. Biernacki  
Reg. No. 40,511  
Jones Day  
North Point; 901 Lakeside Avenue  
Cleveland, OH 44114  
(216) 586-3939